



04-1500-JJF

1 Dear Judge Farnan  
My Name is David Mayfield  
# 260768 I filed a 1983 motion  
in your Honorable Court in December  
on the 6<sup>th</sup> 2004 However the Court  
Granted my Informa Pauperis and  
I had 30 Days from December 17<sup>th</sup>  
to Send in the Partial Filing Fee of  
\$ 29.74. However on February 7<sup>th</sup> 2005  
the Court Dismiss my motion because  
of Not Receiving the Filing Fee on time,  
after Receiving the Court's letter in regards  
to the Court Closing my case.  
I filed a motion for Reinstatement  
because it was not my fault that  
the Court did not receive my Partial  
Filing Fee because it was the  
error of the Prisons Business Office  
and I sent proof to support it  
and I requested that the Court  
Hold the Delaware Correctional Center's  
Business Office Liable and Order them  
to pay the fee for my case -  
because I sent the Informa Pauperis  
forms to the Prisons Business 2 Days  
after Christmas - and my inmate Account  
had No Money to pay at the time.

the Reason for Not Sending the Fee to the Courts Was Due to Staffing Shortages & Should Not Be Held Accountable for the Prison's Staff shortages which was the cause for them not sending the Courts the \$ 29.74 partial filing fee - I am not in a position to see that the Courts receive the fee on a timely fashion "then and now". on Wednesday February 23<sup>rd</sup> 2005

I was transferred up to the Howard R. Young Correctional facility; - I am not complaining of the transfer because now I am home closer to my Mother -

I pray that this Honorable Court will Reinstate my 1983 motion - 04-1500 JTF because of delay error of the Business office at the Delaware Correctional Center in Smyrna, MD if I am Reinstated. ~~How~~ Would my transfer effect my Argument Claims - Because my 1983 Argument Claims were Againsts Warden Thomas Carroll WR Shi and First Correctional Medical (F.C.M) E.T.A.L - Not the Howard R Young Corrections facilities, Warden Rafael Williams and first Correctional Medical at that facility where I was transferred to.

I am Resubmitting letter written on February 14 to this Honorable Court as to why the partial filing fee for Case 04-1500- JTF was not Received

Respectfully  
David Mayfield

Reason for  
Late Filing Fee  
for Case

→ CIVIL ACT 04-1500-JJF

Dear Court Clerk

My Name is David Mayfield  
the Above Case was dismissed by the  
Court Because they did Not Receive my  
Partial Filing Fee "However I Filed a  
Motion for Reinstatement Because it was  
not my fault that the Court did Not  
Receive my Payment - it was a Business  
office error as the Reason for the Court's  
Not Receiving my Partial Payment -  
I also submitted proof with my motion  
for Reinstatement, that it was a Business  
office error. I've been writing the Business  
office since Early January as to why the  
Partial Filing Fee was Not Removed from  
my Account "the Business office finally  
sent me a Memo Dated 2/14/05 as to  
the Reasons the Partial Filing Fee  
was Not Sent to the Court.

Please See Attached Memo from the  
Business office -

I would also like to know if the Court  
Still Have all my letters, paperwork,  
Sick Call slips and Grievances Because I  
Spent Many Hours Preparing those materials  
I am ask this Honorable Court to Reinstate  
this Case under 04-1500-JJF - and Hold



the Business Office Responsible for Not  
Sending out the Filing as Directed

I'm also asking that the Prison Be Responsible  
for the entire <sup>Filing</sup> fee Because they are Responsible  
for my Case Being Closed or I'm asking that  
the Filing Fee Be Reduced and allow me to  
only Pay \$ 75.00.

Please Respond

2/14/05

Sincerely

David Mayfield  
Petitioner

## MEMORANDUM

TO: David Mayfield #260768

FROM: Crawford, Inmate Accounts

DATE: 02/14/2005

I do apologize that the funds for filing fees were not deducted from your account. Due to staffing issues, in the business office this is one thing that has fallen behind. If you would send up a pay to for the amount of the filing fees they will get sent out. If you don't know the amount of the filing fees send us a blank Pay to along with a note letting us know what it is for, the business office will be glad to calculate it for you.

Pay to's get processed every week, so your filing fees will go out in a timely manor.

Thank You  
Mrs. Crawford  
Inmate Accounts  
DCC

CLOSED

**U.S. District Court  
District of Delaware (Wilmington)  
CIVIL DOCKET FOR CASE #: 1:04-cv-01500-JJF  
Internal Use Only**

Mayfield v. Carroll, et al  
Assigned to: Judge Joseph J. Farnan Jr.  
Demand: \$0  
Case in other court: USDC/DE, 03cv292JJF  
USDC/DE, 04cv888JJF  
Cause: 42:1983 Prisoner Civil Rights

Date Filed: 12/06/2004  
Jury Demand: None  
Nature of Suit: 555 Habeas Corpus  
(Prison Condition)  
Jurisdiction: Federal Question

**Plaintiff**

**David L. Mayfield**

represented by **David L. Mayfield**  
SBI# 260768  
Delaware Correctional Center  
1181 Paddock Road  
Smyrna, DE 19977  
PRO SE

V.

**Defendant**

**Warden Thomas Carroll**

**Defendant**

**First Correctional Medical**

**Defendant**

**Dr. Ali**

Date Filed	#	Docket Text
12/06/2004	1	COMPLAINT filed. (els) (Entered: 12/08/2004)
12/06/2004	2	Letter dated 12/4/04 from David Mayfield to the Court regarding IFP (els) (Entered: 12/08/2004)
12/07/2004	3	Letter from pltf to Clerk of the Court w/IFP and Trust Fund Account Statement (dab) (Entered: 12/08/2004)
12/07/2004	4	MOTION by David L. Mayfield to Proceed in Forma Pauperis (dab) (Entered: 12/08/2004)
12/15/2004	5	CASE assigned to Judge Joseph J. Farnan Jr. . Notice to all parties. (rjb) (Entered: 12/15/2004)

12/17/2004	6	ORDER granting [4-1] motion to Proceed in Forma Pauperis and assessing \$150.00 filing fee. An initial partial filing fee of \$29.74 shall be required. Pltf shall return the attached payment authorization w/in 30 days. Failure to return payment authorization shall result in dismissal of action w/out prejudice. Set Notice of Compliance deadline to 1/16/05 for David L. Mayfield ( signed by Judge Joseph J. Farnan Jr. ) copy to: Pltf w/Mag. Consent form (afb) (Entered: 12/21/2004)
12/17/2004		FILING FEE \$ 150.00 assessed. (afb) (Entered: 12/21/2004)
12/28/2004	7	LETTER to the Court from pltf. re: his medical condition. (afb) (Entered: 12/29/2004)
12/28/2004	8	LETTER to the Court from the pltf. re: his medical condition. (afb) (Entered: 12/29/2004)
12/28/2004	9	LETTER to the court from pltf. re: his medical condition. (afb) (Entered: 12/29/2004)
12/28/2004	10	MOTION w/ Mem. in supp. by David L. Mayfield with Proposed Order Rule 65 Injunction re: [10-1] motion (afb) (Entered: 12/29/2004)
12/28/2004	11	PETITION by David L. Mayfield for Writ of Mandamus (afb) (Entered: 12/29/2004)
01/06/2005	12	MOTION by David L. Mayfield for Appointment of Counsel re: [12-1] motion (afb) (Entered: 01/11/2005)
02/01/2005	13	LETTER to the Court from pltf. re: pltf.'s 1983 motion. (afb) (Entered: 02/02/2005)
02/07/2005	14	ORDER dismissing without prejudice pltf.'s [1-1] complaint. Pltf. is not required to pay any previously assessed fees or the \$150.00 filing fee. ( signed by Judge Joseph J. Farnan Jr. ) copies to: pltf. and pro se law clerk (afb) (Entered: 02/09/2005)
02/07/2005		Civil debt removed \$ 150.00 by Judge Joseph J. Farnan Jr. (afb) (Entered: 02/09/2005)
02/07/2005		Case closed per DI #14. (afb) (Entered: 02/09/2005)